

8

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO.346/2004

New Delhi, this the 27th day of July, 2004

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

Smt. Rekha Pathak,
W/o Shri C.D Pathak,
Flat No. 46,
Laxmi Apartments,
Sector-9, Rohini, Delhi
(By Advocate : Shri M.K. Bhardwaj) ... Applicant

Versus

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi - 110 016
2. Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Ministry of HRD, Deptt. of Education,
Govt. of India, JNU Campus,
New Mehrauli Road,
(By Advocate : Shri S. Rajappa) ... Respondents

O R D E R (ORAL)

Heard.

2 The learned counsel for the respondents has produced the relevant record, as per the direction of this Tribunal as given on 29.6.2004, leading to the issue of order dated 4.11.2003 (page 15 of the OA). On perusal of the record, it is observed that the request of the applicant for granting her voluntary retirement w.e.f. 19.5.2003 has not been acceded to by the respondents for the reason that she had not completed 20 years of qualifying service as on that date. It transpires from the learned counsel for the respondents that she has since completed the requisite 20 years of service for voluntary retirement and her request for such a retirement can only be allowed from the date she has completed the requisite period.



2. Having regard to the facts as submitted above and also having heard the learned counsel for the parties, this OA is disposed of with a direction to the respondents to consider the request of the applicant for voluntary retirement from the date she has completed 20 years of qualifying service and to allow the same with reference to the rules and instructions on the subject. The respondents are further directed to comply with above direction within a period of two months from the date of receipt of a copy of this order.



(SARWESHWAR JHA)
MEMBER (A)

/pkr/